

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KEENAN JOHNSON,

Petitioner,

vs

9:01-CV-946

JAMES CONWAY,

Respondent.

APPEARANCES:

OF COUNSEL:

KEENAN JOHNSON
Petitioner, Pro Se
95-B-1457
Attica Correctional Facility
P.O. Box 149
Attica, New York 14011-149

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MARIA MORAN, ESQ.
Asst. Attorney General

HON. DAVID N. HURD
United States District Judge

DECISION and ORDER

Petitioner, Keenan Johnson, brought a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The respondent made a motion to dismiss the petition. By Report-Recommendation dated March 22, 2007, the Honorable Victor E. Bianchini, United

States Magistrate Judge, recommended that the petition be denied and dismissed. There have been no objections made to the Report-Recommendation.

Accordingly, it is

ORDERED that

1. Respondent's motion to dismiss is GRANTED;

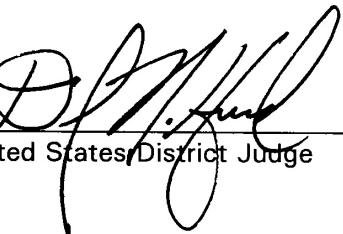
2. The petition for a writ of habeas corpus is DENIED and DISMISSED in its entirety; and

3. The motion of attorney Gregory McPhee to withdraw as attorney for the petitioner is DENIED as moot.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: July 12, 2007
Utica, New York.



United States District Judge